

UNITED STATES DISTRICT COURT

for the

_____ District of Puerto Rico

United States of America)

v.)

ALEXIS A. FIGUEROA-PEREZ,)

T/N: ALEXIS ANTONIO FIGUEROA-PEREZ)

Date of Previous Judgment: August 17, 2004)

(Use Date of Last Amended Judgment if Applicable))

Case No: 03-cr-00081-JAF-16USM No: 23732-069Alice M. Velazquez, Esq.

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months **is reduced to** _____.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: _____

Amended Offense Level: _____

Criminal History Category: _____

Criminal History Category: _____

Previous Guideline Range: _____ to _____ months

Amended Guideline Range: _____ to _____ months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☐ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☐ Other (explain): _____

III. ADDITIONAL COMMENTS

The stipulated relevant conduct in the Plea Agreement was for at least 3.5 but less than 5 kilos of powder cocaine; at least 700 grams, but less than 1 kilogram of heroin, plus crack cocaine of at least 35 grams, but less than 50 grams of the substance. This multi-drug case does not qualify for the solely crack cocaine retroactive amendment.

Except as provided above, all provisions of the judgment dated _____ shall remain in effect.

IT IS SO ORDERED.Order Date: March 30, 2009s/José A. Fusté

Judge's signature

Effective Date: _____
(if different from order date)

JOSE A. FUSTE, U.S. DISTRICT JUDGE

Printed name and title